

REMARKS

Claims 1-4 and 6 are pending in this application.

The Office Action rejects claims 1-4 and 6 under 35 U.S.C. §103(a) over L'Allier et al. (L'Allier), U.S. Patent No. 6,039,575, in view of Chao et al. (Chao), U.S. Patent No. 6,325,632. The rejection is respectfully traversed.

The combination of L'Allier and Chao fails to disclose or suggest the claimed connection agent means for mediating a connection between the contact address of the selected educational support member and the user via the network, and a register means for registering status of the educational support members to the educational support member database, in which each support member is ready to respond to the support request, wherein the support selection means, when an educational support member is to be selected, selects the educational support member who has a status in which the member can readily respond, as recited in independent claim 1.

The Office Action acknowledges that L'Allier fails to disclose these features, but asserts that the features are disclosed by Chao. Chao discloses a session manager 110 that manages sessions 408 between a student and an instructor through a computer (Abstract; col. 3, line 59; col. 5, line 66 to col. 6, line 1). The Office Action asserts that the session manager 110 corresponds to the claimed connection agent means. However, the claimed connection agent means is very different from Chao's session manager.

The connection agent means recited in claim 1 mediates a connection between a user and a support member who is selected by a support member selection means and who can readily respond. That is, the connection agent means can provide educational services in real time to a user (e.g., a student) who is struggling with a lecture over a computer, so that the user can receive assistance over the computer from a support member (e.g., teacher) while the user is experiencing difficulties. To ensure such availability of the support member when the

user is experiencing difficulties, e.g., in real time, the distance education system of claim 1 includes a register means which registers a status of the educational support members belonging to the database. The status is whether or not the support member is ready to respond to the support request when the user requires assistance. In the distance education system of claim 1, because both the connection agent means incorporates the register means and support member selection means, it is possible to provide the educational assistance or service to the user in real time while the user is experiencing difficulty and requires assistance from the support member. In other words, when the user/student requires support from the support member/instructor, the claim 1 distance learning system can provide the user with educational support without substantial time-lag. On the other hand, Chao's system cannot provide this readiness.

The session manager 110 disclosed by Chao manages a session during a time frame defined by both a student ("user of the first type") and an instructor ("user of the second type") (see, e.g., claim 33 in Chao, which recites: "A computer-aided learning apparatus . . . , comprising: . . . a session manager configured to manage a session between the user of the first type and the identified user of the second type for learning the subject during a time frame determined by the users; . . . "). That is, in Chao's system, a user and an instructor plan to access the system during a predetermined time frame, and the session manager manages a time schedule and fee for accessing the system (see col. 5, line 66 to col. 6, line 4). That is, Chao provides for a future session that is planned and determined in advance through negotiation between the instructor, the student and the session schedule (for example, a meeting next Wednesday at 3:00 p.m.). In Chao's system, the instructor's assistance is not provided readily by the session manager 110 when the student is experiencing difficulty.

The Office Action on page 4 cites col. 4, lines 34-40 in Chao to assert that in Chao's system, if an instructor is to be unavailable to a user during a particular time period, the

instructor can indicate such unavailability in a profile. As such, the Office Action infers that an instructor who is not designated as being unavailable is considered to be capable of readily responding to any user requests for assistance. However, there is no evidence in Chao to support the Office Action's inference. In such an instance (i.e., when an instructor is not designated as being unavailable), as discussed above, Chao merely discloses that a future session, planned in advance, is coordinated by the session manager 110. In other words, because Chao fails to disclose the claimed register means, Chao's system accesses the instructor and the student in a unilateral way that requires a substantial time-lag discussed above, regardless of whether the teacher or student is available. Accordingly, Chao's session manager 110 negotiates a session between the teacher and the student, but does not teach or suggest providing educational support readily when the user (e.g., student) experiences difficulty and requires support member assistance.

Further, it would not have been obvious to one skilled in the art at the time of the invention to modify Chao to incorporate the claimed connection agent means and register means to select the educational support member who has a status in which the member can readily respond. Chao's system focuses on matching a student with an instructor and utilizing a schedule to plan a session within a future time frame to discuss educational services. Accordingly, the session manager 110 in Chao's system merely manages session schedules (times and dates) and lecture fees, not readily available assistance with a teacher when the user requires assistance. Moreover, the Office Action's reliance on a dictionary definition of "readily" is misleading. "Ease," "easily," "promptly," and in a "timely manner" do not exclude immediate or real time readiness. Further, even these cited dictionary terms are outside the reach of capability encompassed by the session manager 110 and system of Chao. For example, the Office Action asserts that e-mail communications provided in the system of Chao would provide the readiness recited in claim 1. However, an e-mail message from the

teacher to the student in the system of Chao, for the reasons discussed above, would only occur after the session manager 110 has planned a future session in a time frame during which the teacher is available to communicate (e.g., send the e-mail) with the student. Thus, it would not have been obvious to one skilled in the art at the time of the invention to modify L'Allier in view of Chao to result in the claimed connection agent means and register means to select the educational support member who has a status in which the member can readily respond, as recited in claim 1.

Therefore, for at least the reasons discussed above, claim 1 is patentable over the combination of L'Allier and Chao. Because claims 2-4 and 6 incorporate the features of claim 1, these claims also are patentable over L'Allier and Chao. Thus, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4 and 6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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